

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

Vanida Khautisen, as Personal Representative)	C.A. No. 7:21-cv-03775-TMC
of the Estate of Khouanexay Bill Sivilay,)	
)	
PLAINTIFF,)	
)	
v.)	CONSENT MOTION TO AMEND
)	SECOND AMENDED CONSENT
BHG Holdings, LLC, and BHG XXXVIII, LLC,)	SCHEDULING ORDER
)	(REQUEST FOR 3RD AMENDED
)	SCHEDULING ORDER)
DEFENDANTS.)	
)	
)	

Defendants BHG Holdings, LLC and BHG XXXVIII, LLC pursuant to Local Civil Rule 6.01 (D.S.C.), move before this Court to amend the Second Amended Consent Scheduling Order entered in this case on August 26, 2022. ECF No. 54. *Plaintiff consents to this motion.*

The Parties respectfully show unto the Court as grounds for this Consent Motion the following:

- a) The Parties have engaged in extensive written discovery and are currently engaged in expert depositions;
- b) Four expert depositions remain, all of which are scheduled prior to Thanksgiving and require multiple days' travel;
- c) A key witness in this case is an incarcerated individual, Mr. Trent Neal, and his deposition is scheduled for November 22, 2022;
- d) The Parties are currently scheduling depositions of at least 10 fact witnesses and corporate representatives, located in multiple states;
- e) The current Amended Scheduling Order governing this action is attached as Exhibit 1, which contains the current deadlines;
- f) The Court has entered two amended scheduling orders, and this will be the third; and

g) By way of their proposed Third Amended Scheduling Order, the Parties seek an extension of all forthcoming deadlines as set forth below, which includes approximately a 90-day extension of the current date which this action is subject to be called for trial. The forthcoming deadlines and proposed new deadlines are as follows:

<u>Item</u>	<u>Current Deadline</u>	<u>Proposed New Deadline</u>
Plaintiff's Expert Disclosures	August 12, 2022 (Plaintiffs have met this deadline)	<i>Not applicable</i>
Defendant's Expert Disclosures	October 14, 2022 (Defendants have met this deadline)	<i>Not applicable</i>
Affidavits of Records Custodian	January 27, 2023	April 21, 2023
End of Discovery	December 9, 2022	April 21, 2023
Mediation	December 16, 2022	March 10, 2023
Motions	January 20, 2023	May 5, 2023
Trial	April 17, 2023	July 17, 2023

WHEREFORE, the Parties move the Court for entry of a Third Amended Scheduling Order (a Proposed Order will be presented to the Court along with this Motion).

[SIGNATURE PAGE TO FOLLOW]

WITH CONSENT:

s/Phillip Barber (*with permission*)

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October 24, 2022
Spartanburg, SC

